

UNITED STATES DISTRICT COURT

for the

Middle District of Pennsylvania

United States of America)

v.)

MICHAEL EUGENE SHIPE)

Case No: 1:CR-01-351USM No: 10933-067Date of Previous Judgment: October 2, 2002

Pro Se

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: _____

Amended Offense Level: _____

Criminal History Category: _____

Criminal History Category: _____

Previous Guideline Range: _____ to _____ months

Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

FILED
HARRISBURG, PA

MAY 12 2008

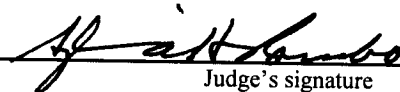
MARY E. D'ANDREA, CLERK

Per _____
Deputy Clerk**III. ADDITIONAL COMMENTS**

Under the amended crack cocaine guideline, the defendant's imprisonment range would yield a sentence of 140-175 months. The defendant received a sentence of 120 months. The guideline amendment does not help the defendant.

All provisions of the judgment dated

10/2/2002 shall remain in effect.**IT IS SO ORDERED.**Order Date: May 12, 2008


Judge's signature

Effective Date: _____
(if different from order date)

Sylvia H. Rambo, United States District Judge
Printed name and title